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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/501,560	07/16/2004	Takanari Saguchi	Q82518	4479
23373	7590	02/23/2006	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			MAKI, STEVEN D	
			ART UNIT	PAPER NUMBER
			1733	

DATE MAILED: 02/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/501,560

Applicant(s)

SAGUCHI, TAKANARI

Examiner

Steven D. Maki

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>071604</u> . | 6) <input type="checkbox"/> Other: ____. |

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- 1) The disclosure is objected to because of the following informalities: The specification refers to the claims. See for example page 5 and page 23.

Appropriate correction is required.

- 2) The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

- 3) **Claims 1-6 are rejected under 35 U.S.C. 102(a),(b) as being anticipated by Japan 712 (JP 2001-219712).**

The claimed tire is anticipated by Japan 712's pneumatic tire having high vibration resistance. The claimed rib groove reads on circumferential groove 14. The claimed discontinuous portions (lug grooves) read on the width direction grooves 16. The claimed rigidity changing portions read on the platforms 20A, 20B, 20C, which are located in the circumferential groove 14. The platforms inherently "cancel the variations of the tire axle force, caused by the discontinuous portions".

- 4) **Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Canada (CA 2083627).**

The claimed tire is anticipated by Canada's vehicle tire (pneumatic tire). The claimed rib groove reads on circumferential groove 1. The claimed discontinuous portions (lug grooves) read on the transverse grooves 2, 3. The claimed rigidity changing portions read on the projections 15, which are located in the circumferential

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groove 1. The projections inherently "cancel the variations of the tire axle force, caused by the discontinuous portions".

5) Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Rohweder et al (US 6105643).

The claimed tire is anticipated by Rohweder et al's pneumatic tire. The claimed rib groove reads on wide circumferential groove 54. The claimed discontinuous portions (lug grooves) read on the transverse grooves 57, 58. The claimed rigidity changing portions read on the protrusions 20, which are located in the circumferential groove 54. The protrusions 20 inherently "cancel the variations of the tire axle force, caused by the discontinuous portions".

6) Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Poque et al (US 5964267).

The claimed tire is anticipated by Poque et al's vehicle tire (pneumatic tire). The claimed rib groove reads on the circumferential groove. The claimed discontinuous portions (lug grooves) read on the transverse grooves. The claimed rigidity changing portions read on the "protrusions", which are located in the circumferential groove. The "protrusions" are defined in part by the offsets / axially extending segments 34. In figure 2a, for example, block 3 has one "middle protrusion" on the left side and an "end protrusion" on the right side. These protrusions inherently "cancel the variations of the tire axle force, caused by the discontinuous portions"; especially in view of Poque et al's disclosure at col. 2 lines 59-65.

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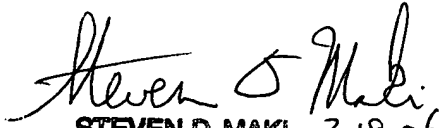
Remarks

- 7) The remaining references are of interest.
- 8) No claim is allowed.
- 9) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven D. Maki whose telephone number is (571) 272-1221. The examiner can normally be reached on Mon. - Fri. 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (571) 272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Steven D. Maki
February 18, 2006


STEVEN D. MAKI 2-18-06
PRIMARY EXAMINER